## **EXHIBIT 4**

## **CHCCS Permits Sexual Violence in Schools and Refuses Accountability**

Chapel Hill-Carrboro City Schools pays lip service to restorative justice, trauma-informed practice, and community accountability. When our 5-year-old was physically sexually abused at Frank Porter Graham Bilingüe, we learned *del dicho al hecho hay mucho trecho:* it's all talk and no action.

While our family experienced this nightmare, school leaders responsible turned their backs on us. This was especially painful because they were my colleagues, people with whom I thought I had collegial relationships and shared values.

I was the Speech Language Pathologist at FPG Bilingüe for over four years. I loved my job and planned to be there for many more. The feeling seemed mutual. My FPG Bilingüe colleagues honored me as the 2018-19 Support Staff Employee of the Year, a distinction I still hold dear.

My care for the FPG Bilingüe community, and my fear for students' safety, were powerful influences in my family's decision to file a <u>lawsuit against Chapel Hill-Carrboro City Schools</u> Board of Education and some of its leaders.

Our then-five-year-old daughter was the recipient of violent and repeated sexual misconduct by her kindergarten classmate at FPG Bilingüe. When my husband and I learned about this horrifying behavior, we duly reported it and expected our school community to respond with care. We thought then-Principal Emily Bivins and then-Assistant Principal Karen Galassi-Ferrer would take steps to ensure our daughter could attend school safely and that no child was ever again sexually abused in any way at FPG Bilingüe.

Instead, Dr. Bivins responded with callousness, minimizing the physical, sexual misconduct our daughter suffered as "tickling," asking her if she liked it. She and her boss, Dr. Misti Williams, pushed for our daughter—not the boy who hurt her—to move to another classroom. Ms. Galassi-Ferrer never acknowledged our reports in any way.

We were forced to keep our daughter home from school for nearly a month while we awaited an adequate safety plan from the school. After asking for an update, we were

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finally told our daughter could stay in her classroom, and that supervision in one location would improve.

We allowed our daughter to return to kindergarten. She went back excited but came home scared. She saw the boy who hurt her all day long: at morning meeting, lunch, and recess. After we reported him threatening her, Dr. Bivins complained about our family's "demands," and said it was "not possible" for our daughter to not share settings with her assailant. Then Dr. Bivins requested both our daughters be removed from FPG Bilingüe. "This just won't end. Go to Carrboro already."

Rather than addressing the problem of safety and sexual violence at FPG Bilingüe, the CHCCS Board, Dr. Bivins, Dr. Williams and their colleagues wanted to get rid of our family.

I was heartbroken to leave my job and community, but we felt we had no choice. The district made clear they would not take necessary steps to keep our children safe. We withdrew them from the district, and I resigned.

I am horrified my family is experiencing the same dismissive treatment I heard other families received when they complained of student-on-student sexual misconduct. Our families and children deserve better. Another FPG family has filed a lawsuit against the CHCCS Board, Dr. Bivins, Ms. Galassi-Ferrer, and Dr. Wiliams for mishandling their child's sexual assault at school.

I worked in public schools for years, as a classroom teacher and a Speech Language Pathologist. School and district leaders place huge emphasis on "accountability" when they mean test scores. At every turn, the Board and its agents have refused genuine accountability for the sexually violent atmosphere they permitted at FPG Bilingüe. They have blamed our daughter and other children for the sexual abuse they suffered while under their care.

The physical sexual misconduct our daughter experienced at school was not an isolated incident. It was part of a pattern of leaders ignoring sexual misconduct at FPG Bilingüe and allowing it to spread, then sweeping hurting families under the rug – or out of school

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– rather than helping them. Being a "good" school district doesn't prevent sexual violence in schools. Responsible leadership, clear communication, and strong protocols and policies to protect children from sexual violence does.

This experience has been profoundly traumatic for our family, and we don't want to deepen that trauma. The lawsuit has been hard, and speaking out publicly is terrifying. But I've told my daughters and my students they have to speak up when something is wrong.

The sexual abuse our daughter and other children experienced at FPG Bilingüe was wrong. FPG and CHCCS leaders' indifference to sexual abuse was wrong. Our family deserves accountability and justice. All children at FPG Bilingüe and throughout CHCCS deserve to be safe from sexual violence at school, and families deserve responsible leaders who care about their children, with actions and not just words.

**Rebecca Fox** lives in Chapel Hill with her family. A former Durham Public Schools dual language teacher, she earned a Master of Elementary Curriculum and Instruction, with endorsements in Bilingual Education and ESL, at the University of Illinois at Chicago, and a Master in Speech Language Pathology at UNC Chapel Hill. Her attorney is Shayla Richberg.